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Attorneys for Defendant
 VENTANA MEDICAL SYSTEMS, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

BIOGENEX LABORATORIES, INC.,

CASE NO. C03-03916-JF

Plaintiff,

v.

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE AND
~~PROPOSED~~ ORDER THEREON**

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

CASE NO. C05-0860-JF

BIOGENEX LABORATORIES, INC.,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

STRADLING YOCCA
 CARLSON & RAUTH
 LAWYERS
 NEWPORT BEACH

STIPULATION AND ~~PROPOSED~~ ORDER

C03 03916 JF

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1 WHEREAS, defendant's motion for summary judgment of noninfringement, Docket No.
2 27, is currently pending in Case No. C05-0860-JF, and the Court has taken the matter under
3 submission after argument on the motion, which was held on January 27, 2006;

4
5 WHEREAS, a Case Management Conference is scheduled for March 3, 2006, at 10:30
6 am;

7
8 WHEREAS, pursuant to this Court's November 17, 2005 order, the parties were directed
9 to contact the clerk to discuss whether the Case Management Conference should be rescheduled;

10
11 WHEREAS, after consulting with the clerk, it was agreed to continue the Case
12 Management Conference for four weeks;

13
14 WHEREAS, resolution of the pending motion for summary judgment has the potential to
15 narrow, obviate, or otherwise inform claim construction matters with respect to the asserted '598
16 patent in this litigation;

17
18 IT IS HEREBY STIPULATED, subject to the approval of this Court:

19
20 1. The Case Management Conference is rescheduled for March 31, 2006 at 10:30
21 am.

22
23 2. If defendant's motion for summary judgment is still pending on March 24, 2006,
24 the parties are directed to contact the clerk to discuss whether the Case Management Conference
25 should be rescheduled.

1 3. If the Case Management Conference is not going to be rescheduled, the parties
2 shall submit a Joint Case Management Statement no later than March 29, 2006.

3
4 Dated: February 27, 2006

STRADLING Yocca CARLSON RAUTH
A Professional Corporation

5
6 By: Paul L. Gale
7 Paul L. Gale

8 Attorneys for Plaintiff
9 BIOGENEX LABORATORIES, INC.

10 Dated: February 27, 2006

WILSON SONSINI GOODRICH & ROSATI
A Professional Corporation

11
12 By: Roger J. Chin
13 Roger J. Chin

14 Attorneys for Defendant
15 VENTANA MEDICAL SYSTEMS, INC.

16 **ORDER**

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18
19 Dated: 3-7-06

20 Jeremy Fogel
21 HON. JEREMY FOGEL
22 UNITED STATES DISTRICT JUDGE
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